

**MINUTES**  
**UTAH**  
**HEARING INSTRUMENT SPECIALIST BOARD**  
**MEETING**

**October 4, 2011**

**Room 474 – 4<sup>th</sup> Floor - 9:00 a.m.**  
**Heber Wells Building**  
**Salt Lake City, UT 84111**

**CONVENED:** 9:00 a.m.

**ADJOURNED:** 10:00 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Yvonne King

**Board Members Present:**

Robert Heygster - Chairperson  
Morris Mower  
David Simmons

Board members absent

Ken Hornok

**Guests:**

Doug Dunker, HHPU  
Paul Lloyd, ESHC  
Mark Nilsson, HHPU

**DOPL Staff Present:**

Mark Steinagel, Division Director  
David Furlong, Consumer Protection

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Approval of the July 11, 2011 Board Meeting Minutes

Mr. Mower seconded by Mr. Simmons made a motion to approve the July 11, 2011 Board Meeting Minutes as written. The motion carried unanimously.

**APPOINTMENTS:**

9:15 a.m. Misleading and Deceptive Advertising

Mr. Steinagel addressed the issues with misleading and deceptive advertising with respect to artificially elevated prices in comparison with a sale price. Mr Steinagel stated that the Division would like to do

everything they can to protect the consumer.

Mr. Furlong, investigator with Consumer Protection handed out the Consumer Sales Practice Act, and explained what exists under that act which includes product or service which is purchased for personal, family and household use. This act also included deceptive pricing.

Mr. Heygster stated the problem is not just with the manufactured suggested retail price (MSRP) but artificially inflated referred prices.

Mr. Furlong stated that Consumer Protection is set up to deal with those types of issues. Mr. Steinagel explained that when another agency takes action and the facts have already been established, it makes the Division's job much easier.

Mr. Heygster was concerned that the state budget could not support the investigation process. Mr. Steinagel stated that there are things with the existing resources the Division can do. Mr. Steinagel also stated that they would get back with the Board in late Spring.

Mr. Steinagel then suggested designating an individual from the Board as a subject matter expert. Mr. Simmons volunteered and will now be the designated subject matter expert.

09:45 a.m. Recommendation for the Hearing Aid Academy

Mr. Dunker appeared before the Board for his review/opinion on the Hearing Aid Academy. Mr. Dunker spoke with IHS and there appeared to be no collaboration with the Hearing Aid Academy.

Mr. Dunker stated that the Hearing Aid Academy is not adequate to replace any of the education requirements as it stands.

Mr. Simmons seconded by Mr. Mower made a motion to respond to the Hearing Aid Academy stating that the education is not applicable at this time but the Board would be willing to look at the academy in the future if they have made changes. The motion carried unanimously.

Comments Regarding Audiologists as Hearing  
Instrument Specialists (Doug Dunker)

Mr. Dunker recommended that an Audiologist should not be allowed to supervise a Hearing Instrument Intern and recommended no changes be made to the Law or Rule at this time.

America Hears (Medical Waiver)

Mr. Ormond presented a form from America Hears that included a medical waiver. Mr. Ormond asked the Board if that type of form should be included in the model contract.

This will be revisited at our next scheduled meeting as an agenda item.

State/Provincial Hearing Aid Dispensing Survey  
Results

Mr. Ormond reviewed the results of a survey conducted by IHS which made a comparison of licensing requirements and procedures with other states.

**ADJOURN:**

10:00 a.m.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

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Date Approved

Chairperson, Utah Hearing Instrument Specialist  
Board

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Date Approved

Bureau Manager, Division of Occupational &  
Professional Licensing